

# EXHIBIT C

## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on AUGUST 10, 2006, MARCUS SAENZ, A MARRIED MAN, JOINED BY HIS WIFE executed and delivered that Deed of Trust, which is recorded in INSTRUMENT NO. 2006157227 of the real property records of TRAVIS County, Texas, to secure the payment of a Promissory Note in the principal amount of \$880,000.00 payable to the order of LEHMAN BROTHERS BANK, FSB; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred, the maturity thereof has been accelerated, and the outstanding Debt on same is now wholly due; and

WHEREAS, the Trustee(s) named in the Deed of Trust have been removed and the Mortgagee or the Mortgage Servicer has appointed the undersigned, or any one of them, as Substitute Trustee(s) in place of the original Trustee(s), upon the contingency and the manner authorized by the Deed of Trust and/or the Texas Property Code; and

WHEREAS, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as nominee for AURORA LOAN SERVICES, LLC, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Deed of Trust in order to satisfy the indebtedness secured thereby.

**NOTICE IS HEREBY GIVEN** that on Tuesday, OCTOBER 6, 2009, beginning at 1:00 PM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

The sale will occur at that area designated by the Commissioners Court of TRAVIS County, Texas, for such sales (OR AT EAST ENTRANCE OF THE COURTHOUSE AS THAT PLACE BEING THE AREA CONSISTING OF THE EXTERIOR ENTRANCE, PORCH AND STEPS ADJACENT TO THE EAST ENTRANCE TO THE SECOND FLOOR OR SECOND STORY OF THE COURTHOUSE).

**NOTICE IS FURTHER GIVEN** that AURORA LOAN SERVICES, as Mortgage Servicer, is representing the Mortgagee, whose address is 2617 COLLEGE PARK DRIVE, SCOTTSBLUFF, NEBRASKA 69361. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property secured by the above referenced loan. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007.

EXECUTED EFFECTIVE AS OF SEPTEMBER 14, 2009.

  
SUBSTITUTE TRUSTEE(S)  
MICHAEL J. SCHROEDER OR JUANITA  
STRICKLAND OR JANIE MUCHA

FILE NO.: ALS-1849  
PROPERTY: 7051 GILBERT ROAD  
MANOR, TEXAS 78653

MARCUS SAENZ

AFTER RECORDING, RETURN TO:  
MICHAEL J. SCHROEDER, P.C.  
3610 NORTH JOSEY LANE, SUITE 206  
CARROLLTON, TEXAS 75007  
(972) 394-3086

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## MICHAEL J. SCHROEDER, P.C.

3610 NORTH JOSEY LANE, SUITE 206 • CARROLLTON, TEXAS 75007 • (972) 394-3086 • FAX: (972) 394-1263

SEPTEMBER 14, 2009

MAILED TO ADDRESSEES BY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED & FIRST CLASS MAIL

MARCUS SAENZ  
7051 GILBERT ROAD  
MANOR, TEXAS 78653

SHANNON SAENZ  
7051 GILBERT ROAD  
MANOR, TEXAS 78653

RE:     Loan No.: 38616603  
Mortgage Servicer: AURORA LOAN SERVICES  
AUGUST 10, 2006 Note for \$880,000.00, Secured by Deed of Trust of even date  
Our File No.:     ALS-1849

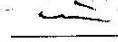
Dear Borrower(s):

This firm represents AURORA LOAN SERVICES, the Mortgage Servicer for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as nominee for AURORA LOAN SERVICES, LLC, who is the owner and holder of the Note and Mortgagee of the Deed of Trust associated with your real estate loan. AURORA LOAN SERVICES, as Mortgage Servicer, is representing the Mortgagee, whose address is 2617 COLLEGE PARK DRIVE, SCOTTSBLUFF, NEBRASKA 69361. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property secured by the above referenced loan.

This letter is formal notice to you of the following:

1. Payment of the past due balance due on the Debt has not been received by AURORA LOAN SERVICES. Because of this default, the Holder of the Note has elected to ACCELERATE the maturity of the Debt.
2. On Tuesday, OCTOBER 6, 2009, as designated in the enclosed Notice of Trustee's Sale, the Trustee or a Substitute Trustee will sell the real property described in the enclosed Notice at the area designated by the Commissioner's Court of TRAVIS, Texas, in the usual and customary place in that County, to the highest bidder paying in the form of certified funds, cashier's check or money order(s).
3. All of the obligors and guarantors (if any) of the Debt have the right to reinstate the loan as provided in the Deed of Trust and as provided by applicable Texas law. Reinstatement payment must be made in the form of certified funds, cashier's check or money order(s) paid to the order of AURORA LOAN SERVICES.
4. All of the obligors and guarantors (if any) of the Debt have the right to bring a court action to assert the non-existence of a default or any other defense to acceleration and foreclosure which they may have.

Any questions regarding the matters set forth herein should be directed, in writing, to the attention of this firm's foreclosure department.

  
Michael J. Schroeder, P.C.

# EXHIBIT C

## EXHIBIT "A"

FIELD NOTES DESCRIBING A 12 00 ACRE TRACT OF LAND OUT OF THE OLIVER BUCKMAN SURVEY NUMBER 40 IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND AS DESCRIBED IN DOCUMENT NUMBER 2005197781 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 12 00 ACRE TRACT OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at an iron rod found at a point in the southeast right-of-way line of Gilbert Road at a point in the northeast line of that certain 60 00 acre tract of land, recorded in Document No 2003226181 of the Official Public Records of said county, for the west corner of said 12 00 acre tract of land and for the POINT OF BEGINNING hereof,

THENCE, with a portion of the aforementioned line the following two (2) courses,

1) North 32 degrees 17 minutes 40 seconds East a distance of 264 82 feet to an iron rod set at a point of curvature in said line,

2) with said curve, to the left whose radius is 1250 00 feet, an arc distance of 84 97 feet and a chord bearing and distance of North 30 degrees 15 minutes 40 seconds East 84 95 feet to an iron rod found at a point in said curve, for the north corner hereof,

THENCE, through said 60 00 acre tract, South 60 degrees 10 minutes 43 seconds East a distance of 1452 07 feet to an iron rod found at a point in the west line of that certain Robert Carey 44 125 acre tract of land, recorded in Volume 13297, Page 3131 of the Real Property Records of said county, for the east corner hereof,

THENCE, with the aforementioned line of said Carey tract, South 17 degrees 16 minutes 45 seconds West a distance of 357 95 feet to an iron rod found, for the south corner hereof,

THENCE, through said 60 00 acre tract, North 60 degrees 10 minutes 58 seconds West a distance of 1541 88 feet to the POINT OF BEGINNING and containing 12 00 acres of land, more or less

FILE NO.: ALS-1849  
MARCUS SAENZ